R E M A R K S

Applicants respectfully reiterate their request for a fully initialed copy of applicants' Form PTO-1449 dated April 25, 2001 (see applicants' REQUEST FOR FULLY INITIALED COPY OF FORM PTO-1449 mailed on October 23, 2003). On the copy of the April 25, 2001 Form PTO-1449 that was returned with the October 15, 2003 Office Action, the Examiner did not initial the cited EP 321,973 and the cited full text of the Boye et al. publication. It is noted that an abstract containing the amino acid sequence of Boye et al. was provided with the October 15, 2003 Office Action, and the Boye et al. publication was applied in a prior art rejection in the October 15, 2003 Office Action.

The specification was amended hereinabove to update the status of the parent application, which is now USP 6,307,038.

In reply to Item No. 1 at the top of page 2 of the Office Action, withdrawn claims 61, 63, 71 to 75, 77 to 79, 89 and 90 were canceled hereinabove.

Claim 80 was canceled hereinabove, since claim 80 was substantially the same as applicants' claim 48.

Claims 48, 55 and 60 are the presently pending claims in this application.

Claims 48, 55, 60 and 80 were rejected under 35 USC 112, first paragraph, for the reasons set forth in Item No. 4 on pages 2 and 3 of the Office Action.

Claims 48, 55 and 60 were amended hereinabove to avoid the 35 USC 112, first paragraph rejection.

It is respectfully submitted that the present claims comply with all the requirements of 35 USC 112.

Claims 48 and 80 were rejected under 35 USC 102 as being anticipated by Dougherty et al. (Reference U) or Boye et al. (Reference V) for the reasons set forth in Item No. 6 at the middle of page 3 of the Office Action.

The amino acid sequence of Dougherty et al. shows only a 47.6% Query Match score with respect to applicants' claimed polypeptide having amino acid residue numbers 4-437 of SEQ ID NO: 2. Such Query Match score demonstrates that the amino acid sequence in Dougherty et al. is substantially different from the amino acid sequence recited in applicants' claim 48. It is therefore respectfully submitted that Dougherty et al. do not anticipate applicants' claim 48.

Furthermore, it is respectfully submitted that the low Query Match score in Dougherty et al. is a clear indication that claim 48 is unobvious in view of Dougherty et al.

The amino acid sequence of Boye et al. show a 71.3% Query Match score with respect to the polypeptide according to applicants' claim 48 having amino acid residue numbers 4-437 of SEQ ID NO: 2. There is thus a substantial difference in amino acids between the polypeptide according to applicants' claim 48 and the polypeptide of Boye et al. It is therefore respectfully submitted that applicants' claim 48 patentably distinguishes over Boye et al.

Claims 55 and 60 were rejected under 35 USC 102 as being anticipated by Creissen et al. (Reference W) for the reasons set forth in Item No. 7 on page 3 of the Office Action.

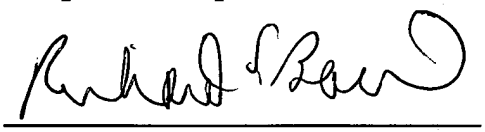
The amino acid sequence in Creissen et al. shows only a 27.5% Query Match score with respect to the amino acid residue numbers 1-526 of SEQ ID NO: 12. From such a low Query Match score, it is clear that applicants' claims 55 and 60 are novel and unobvious in view of Creissen et al.

In view of the above, withdrawal of the prior art rejections is respectfully requested.

Reconsideration is requested. Allowance is solicited.

If the Examiner has any comments, questions, objections or recommendations, the Examiner is invited to telephone the undersigned at the telephone number given below for prompt action.

Respectfully submitted,



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